

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

HOWARD OMAR POWELL,	:	CIVIL ACTION NO. 1:06-CV-0057
	:	
Petitioner	:	(Judge Conner)
	:	
v.	:	
	:	
FRANKLIN TENNIS, THOMAS CORBETT, Attorney General of Pennsylvania,	:	
	:	
Respondents	:	

ORDER

AND NOW, this 2nd day of February, 2006, upon consideration of petitioner's motion for appointment of counsel (Doc. 6), see 18 U.S.C. § 3006A(a)(2) (Whenever . . . the court determines that the interests of justice so require, representation may be provided for any financially eligible person who . . . is seeking relief under [28 U.S.C. §] 2241 . . .), and it appearing that the claims raised in the petition for writ of habeas corpus do not present complex legal or factual issues, and it further appearing that petitioner is capable of properly and forcefully prosecuting his claims with adequate factual investigation and appropriate citations to governing authority, see Reese v. Fulcomer, 946 F.2d 247, 263 (3d Cir. 1991) (identifying merit and complexity of petitioner's claims as factors in whether to appoint counsel); Blasi v. Attorney Gen., 30 F. Supp. 2d 481, 489 (M.D. Pa. 1998) (citing Tabron v. Grace, 6 F.3d 147, 155-57 (3d Cir. 1993)), aff'd, 275 F.3d 33 (3d Cir. 2001), and the court finding that the interests of justice do not require the appointment of counsel for petitioner at this stage of the proceedings, see 18 U.S.C.

§ 3006A(a)(2), it is hereby ORDERED that the motion (Doc. 6) is DENIED. If the court determines that an evidentiary hearing should be held, or if further proceedings otherwise demonstrate the need for counsel, the matter will be reconsidered either *sua sponte* or upon motion of petitioner.

/s/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge